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By: V McElf

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Appln. No.

10/714,155

Confirmation No.:

2382

CENTRAL FAX CENTER

Applicant

FLAHERTY, J. Christopher

JAN 0 8 2007

Filed

November 14, 2003

TC/A.U.

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Examiner

JAWORSKI, Francis J.

Docket No.

**PA2012 CON2** 

Customer No.

28390

Title

TISSUE PENETRATING CATHETERS HAVING INTEGRAL IMAGING

TRANSDUCERS AND THEIR METHODS OF USE

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TERMINAL DISCLAIMER ACCOMPANYING DECLARATION UNDER 37 C.F.R. § 1.130

Sir:

Medtronic Vascular, Inc., the 100% owner of the above-captioned United States Patent Application Serial No. 10/715,115 hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U. S. C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of United States Patent No. 6,660,024.

Medtronic Vascular, Inc. hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

Application No. 10/458,153 Amd. Dated: January 12, 2006 Reply to Office Action mailed November 15, 2005

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 15410 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Respectfully submitted,

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